

## Article - Education

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§13–515.

(a) (1) In this section the following words have the meanings indicated.

(2) (i) “Ambulance” means any conveyance designed and constructed or modified and equipped to be used, maintained, or operated to transport individuals who are sick, injured, wounded, or otherwise incapacitated.

(ii) “Ambulance” includes a conveyance designed and constructed or modified and equipped for aeromedical transport.

(3) (i) “Ambulance service” means any individual, firm, partnership, corporation, association, or organization engaged in the business of transporting by ambulance individuals who are sick, injured, wounded, or otherwise incapacitated.

(ii) “Ambulance service” does not include the transporting of individuals in an ambulance owned, operated, or under the jurisdiction of a unit of State government, a political subdivision of the State, or a volunteer fire company or volunteer rescue squad.

(4) “Fund” means the Commercial Ambulance Service Fund.

(5) “License” means a license issued by the Institute to operate an ambulance service in the State.

(b) Unless issued a license under this section, an individual, firm, partnership, corporation, association, or organization may not operate an ambulance service in the State.

(c) (1) The EMS Board, in consultation with representatives of the ambulance service industry in Maryland, shall adopt regulations necessary to establish a periodic licensing system for ambulance services in the State.

(2) The regulations shall, at a minimum, require:

(i) Each ambulance operated by the ambulance service to be equipped with adequate equipment and supplies to:

1. Care for the patients being transported; and

2. Communicate with the dispatcher;

(ii) 1. At least one individual, in addition to the driver, in attendance during transport who is certified or licensed under § 13–516 of this subtitle for the appropriate level for the care to be rendered; or

2. Personnel equivalent or superior to the requirements of item 1 of this subparagraph as demonstrated to the Institute including:

A. Licensed physicians;

B. Licensed nurses; or

C. Licensed respiratory therapists; and

(iii) Each ambulance operated by the ambulance service be inspected:

1. For an ambulance intended for use on a roadway, once every 12 months by an inspection station licensed under § 23–103 of the Transportation Article and be issued an inspection certificate by the inspection station; or

2. For any other type of ambulance, under all applicable State and federal inspection requirements for the type of ambulance.

(d) To qualify for an ambulance service license, an applicant shall:

(1) Pay the Institute an application fee established under this section;

(2) Maintain commercial general liability insurance for at least \$1 million in coverage in an insurance policy issued by an insurer acceptable to the Maryland Insurance Commissioner to write such policies in the State;

(3) Provide the Institute a certificate of insurance that at a minimum:

(i) Indicates that the insurance required under this subsection is in effect when the application is submitted; and

(ii) Lists the Institute as an additional party entitled to notification at least 10 days before any:

1. Nonrenewal or cancellation of a policy required by this subsection; or

2. Substantive change is made in the coverage or level of insurance under a policy required by this subsection; and

(4) Meet the requirements of this section and all regulations under this section.

(e) (1) There is a Commercial Ambulance Service Fund within the Institute.

(2) (i) The Institute shall set reasonable fees for the licensing and license renewal of ambulance services.

(ii) The fees charged by the Institute shall be set in a manner that will produce funds sufficient to cover the actual direct and indirect costs of maintaining the licensing program under this section.

(iii) The total reasonable cost of maintaining the licensing program may not be more than the revenues generated by the fees for the licensing and license renewal for ambulance services.

(3) (i) The Institute shall pay all funds collected under this section to the Comptroller of the State.

(ii) The Comptroller shall distribute the fees to the Fund.

(4) The Fund shall be used to cover the actual documented direct and indirect costs of fulfilling the statutory and regulatory duties of the Institute as provided by the provisions of this section.

(5) The Fund is a continuing, nonlapsing fund, not subject to § 7–302 of the State Finance and Procurement Article.

(6) Any unspent portions of the Fund may not be transferred or revert to the General Fund of the State, but shall remain in the Fund to be used for the purposes specified in this section.

(7) (i) A designee of the Institute shall administer the Fund.

(ii) Money in the Fund may be expended only for any lawful purpose authorized under the provisions of this section.

(8) The Legislative Auditor shall audit the accounts and transactions of the Fund as provided in § 2–1220 of the State Government Article.

(f) The Institute may inspect the operating base, equipment, supplies, and company procedures necessary to ensure compliance with the requirements of this section and all regulations adopted by the Institute under this section.

(g) Subject to the hearing provisions of subsection (h) of this section, the Institute may deny an application for an ambulance service license or suspend or revoke a license if the applicant or licensee violates any provision of this section or any regulation adopted by the Institute under this section.

(h) Before the Institute takes any final action under subsection (g) of this section, the Institute shall give the person against whom the action is contemplated an opportunity for a hearing under the provisions of § 10–226 of the State Government Article.

(i) The Institute may waive the requirements of this section for any ambulance service:

(1) Licensed in another state if the ambulance service provides adequate evidence that the ambulance service is licensed in the other state after meeting requirements that are at least as stringent as the licensing requirements of this State; or

(2) That transports patients into this State only on an occasional basis as determined by the Institute.

(j) A person who violates any provision of this section or any regulation adopted by the Institute under this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000.

(k) This section preempts the authority of a county or municipal corporation to regulate any ambulance service with a base of operation located outside the county or municipal corporation that is licensed under this section.

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